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April 28, 2005

TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Art Unit 2812 - Examiner Booth, Richard A.

FROM: George O. Saile, Reg. No. 19,572
28 Davis Avenue
Poughkeepsie, N.Y. 12603

SUBJECT: Serial #: 10/697,925
File Date: 10/30/2003
Inventor: Seiki Ogura
Examiner: Booth, Richard A
Art Unit: 2812
Title: Twin NAND Device Structure, Array Operations and Fabrication Method

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Restriction Requirement in the Office Action dated March 28, 2005. In that office action, restriction was required to one of the following Inventions under

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents P.O. Box 1450, Alexandria, VA 22313-1450 on April 28, 2005.

Signature

Stephen B. Ackerman, Reg. No. 37,761

Date: April 28, 2005

35 U.S.C. 121:

The inventions stated are:

I - Claims 1-23, 33-45 and 46-61, drawn to a method of making a MONOS memory, classified in class 438, subclass 261, and

II - Claims 22-32, drawn to a MONOS array, classified in class 365, subclass 185.

The subject Restriction Requirement is believed to have been sent in error. The Group II claims 1-22 and 33-61 have already been cancelled upon filing of this Divisional patent application, as shown in the attached copy of the filing papers.

Applicant was also required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable, and that currently no claims are generic.

The species stated are a first method of making a MONOS memory, a second method of making a MONOS memory, and a method of programming a MONOS memory.

Since all the species are included in the cancelled claims 1-22 and 33-61, the species requirement is also believed to be in error.

Withdrawal of the Restriction Requirement, and allowance of the present Patent Application, is respectfully requested.

It is requested that should there be any problems with this response, please call the undersigned Attorney at (845) 452-5863.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "SA".

Stephen B. Ackerman, Reg. No. 37,761